

Draft Regulations laid before Parliament under section 150(6) of the Local Government and Housing Act 1989, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2000 No.

LOCAL GOVERNMENT, ENGLAND

**The London Local Authorities (Charges
for Stopping Up Orders) Regulations 2000**

<i>Made</i>	- - - -	2000
<i>Coming into force</i>	- -	2000

Whereas a draft of these Regulations has been laid before and approved by resolution of each House of Parliament in accordance with section 150(6) of the Local Government and Housing Act 1989(1);
Now therefore, the Secretary of State for the Environment, Transport and the Regions, in exercise of the powers conferred by sections 150 and 152(5) of that Act and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the London Local Authorities (Charges for Stopping Up Orders) Regulations 2000 and shall come into force on the day after the day on which they are made.

Interpretation

2. In these Regulations—

“the 1990 Act” means the Town and Country Planning Act 1990(2);

“London local authority” means the council of a London borough or the Common Council of the City of London; and

“order” means an order of a kind which a London local authority has power to make under section 247, 248 or 249 of the 1990 Act.

Power to impose charges

3. A London local authority may impose charges for—

(1) 1989 c. 42.

(2) 1990 c. 8; sections 247, 248 and 249 are amended by paragraphs 3, 4 and 5 of Schedule 22 to the Greater London Authority Act 1999 (c. 29).

- (a) considering an application to make an order, whether or not the authority proceeds to take the steps required for the making of an order; and
- (b) taking the steps required for the making of an order, whether or not an order is actually made.

Person by whom the charges are payable

- 4. The charges shall be payable by the person who applies for an order to be made.

Amount of charges

5.—(1) The charges which may be imposed by a London local authority under regulation 3 shall be of such amount (taking appropriate account of its relevant administrative expenses and general staff costs and overheads) in respect of the matters referred to in regulation 3 as the authority may determine having regard to the circumstances of each particular case.

(2) Without prejudice to the generality of paragraph (1) in determining its charges a London local authority may have regard to the costs incurred by it in relation to any of the following—

- (a) preparing a draft order;
- (b) publishing notices which the authority is required by the 1990 Act to publish in connection with the making of an order;
- (c) considering objections to and representations about the making of an order;
- (d) corresponding with persons making objections or representations and with the applicant;
- (e) holding a public inquiry into the making of the order;
- (f) providing representation for the authority at an inquiry;
- (g) considering the report of the person appointed to hold an inquiry;
- (h) determining the application; and
- (i) making an order.

Signed by authority of the Secretary of State

Parliamentary Under-Secretary of State,
Department of the Environment, Transport and
the Regions

2000

EXPLANATORY NOTE

(This note is not part of the Regulations)

Schedule 22 to the Greater London Authority Act 1999 amends Part X of the Town and Country Planning Act 1990 so as to enable orders authorising the stopping up of highways or extinguishing rights to use vehicles on highways to be made by London borough councils and the Common Council of the City of London. Regulation 3 of these Regulations enables councils to impose charges in connection with applications for the making of such orders. Regulation 4 provides for the charges to be payable by the person making the application and regulation 5 makes provision as to the amount of the charges.